

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES RESTIVO

Plaintiff(s),

vs.

UNION PACIFIC RAILROAD
COMPANY, et al.

Defendant(s).

) Case # 2:20-cv-00820-GMN-VCF

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$250.00

Monica A. Silver _____, Petitioner, respectfully represents to the Court:
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of
Murphy, Campbell, Alliston & Quinn
(firm name)

with offices at _____ 8801 Folsom Boulevard, Suite 230 _____
(street address)

Sacramento _____, California _____, 95826 _____,
(city) (state) (zip code)

(916) 400-2300 _____, msilver@murphycampbell.com _____.
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by
UNION PACIFIC RAILROAD COMPANY _____ to provide legal representation in connection with
[client(s)]

the above-entitled case now pending before this Court.

3. That since December 4, 2019
(date), Petitioner has been and presently is a member in good standing of the bar of the highest Court of the State of Cali firnia
(state) where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or from the clerk of the supreme court or highest admitting court of each state, territory, or insular possession of the United States in which the applicant has been admitted to practice law certifying the applicant's membership therein is in good standing.

7 4. That Petitioner was admitted to practice before the following United States District
8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
9 of other States on the dates indicated for each, and that Petitioner is presently a member in good
10 standing of the bars of said Courts.

11	Court	Date Admitted	Bar Number
12	Eastern District of California	October 16, 2020	328726
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14			
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16			
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18			

5. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

None.

6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars if ever denied admission):

None.

7. That Petitioner is a member of good standing in the following Bar Associations.

California State Bar Association

8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2
v LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
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None

(If necessary, please attach a statement of additional applications)

20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
FOR THE PURPOSES OF THIS CASE ONLY.

[Signature]

Petitioner's signature

STATE OF California
COUNTY OF SACRAMENTO

Monica A. Silver, Petitioner, being first duly sworn, deposes and says:



Petitioner's signature

Subscribed and sworn to before me this

30th day of November, 2020

Brinda Brany Notary Public or Clerk of Court



**DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
THE BAR OF THIS COURT AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate Renee Finch, Esq.,
(name of local counsel) Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate resident counsel in this action. The address and email address of said designated Nevada counsel is:

Messner Reeves, LLP
(street address)

Las Vegas, Nevada, 89148
(city) (state) (zip code)
(702) 363-5100, RFinch@messner.com.
(area code + telephone number) (Email address)

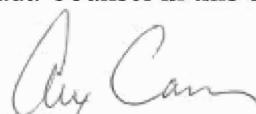
1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6

7 The undersigned party(ies) appoint(s) Renee Finch, Esq. as
8 (name of local counsel)
his/her/their Designated Resident Nevada Counsel in this case.

9 
10 _____
(party's signature)

11 Alex Carson, Representative for Union Pacific
12 (type or print party name, title)

13 _____
14 (party's signature)

15 _____
16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

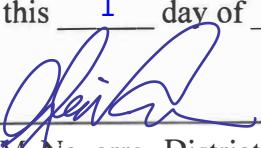
19 
20 _____
Designated Resident Nevada Counsel's signature

21 13118 RFinch@messner.com
Bar number Email address

22

23 APPROVED:

24 Dated: this 1 day of December, 2020.

25 
26 _____
27 Gloria M. Navarro, District Judge
United States District Court

DECLARATION OF SERVICE

I, VANESSA ARROYO, declare as follows:

I am employed in the County of Sacramento, State of California; I am over the age of 18 years and not a party to this action; my business address is 8801 Folsom Boulevard, Suite 230, Sacramento, California 95826, in said County and State. On November 30, 2020 I served:

**VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY ATTORNEY NOT
ADMITTED TO THE BAR OF THIS COURT AND DESIGNATION OF LOCAL COUNSEL**

on the following person(s) at the following address(es), in the manner indicated below:

Attorney for Plaintiff:

Steven L. Day, Esq.
Day & Nance
1060 Wigwam Parkway
Henderson, NV 89074
E-mail: sday@dayattorneys.com;
bricheson@daynance.com

Attorney for Defendant, Union Pacific Railroad

Company:

Renee Finch, Esq.
Lauren D. Calvert Esq.,
Messner Reeves, LLP
9845 West Russell Rd., Ste. 300
Las Vegas, NV 89148
Email: rfinch@messner.com; lcalvert@messner.com,
mordway@messner.com

**Attorney for Defendant, Lhoist North America, Inc.,
and Lhoist North America of Arizona, Inc.:**

Howard J. Russell, Esq.
Brittany M. Llewellyn, Esq.
Weinberg, Wheeler, Hudgins, Gun & Dial, LLC
6385 S Rainbow Boulevard, Suite 400
Las Vegas, NV 89118
Email: HRussell@wwhgd.com; BLlewellyn@wwhgd.com
acvetovich@wwhgd.com; kcruz@wwhgd.com



ONLY BY ELECTRONIC TRANSMISSION: Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses shown above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

BY UNITED STATES MAIL: I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses shown above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am employed in the county where the mailing occurred. The envelope or package was placed in the mail at Sacramento, CA.



BY OVERNIGHT DELIVERY: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses shown above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.



I certify under penalty of perjury that the foregoing is true and correct, and this declaration of service was executed on November 30, 2020 at Sacramento, California.

Bv[•]

~~VANESSA ARROYO~~